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# Instructions

## Divorce - With Minor Children

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### Findings of Fact, Conclusions of Law and Judgment by Joint Petitioners

#### Caption

In the caption of the **Findings of Fact, Conclusions of Law and Judgment**, print the **WIFE's** name (first name, middle initial, and last name) on the line above the word **JOINT PETITIONER-WIFE**. Print her complete address on the lines below her name. Print the **JOINT PETITIONER-HUSBAND's** full name and address. Call the Child Support Division at (262) 548-7420 to determine if the State of Wisconsin is a party to this case. The State is a party if either party, or the children have ever received or applied for public assistance. Mark only one box with an **X** to report if the State is a party or not.

Print the **case number** assigned to this action.

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#### Document

##### I. TRIAL

**Paragraph 1:** Write the name of the judge who granted the divorce.

**Paragraph 3:** List the date(s) of the final divorce trial.

**Paragraph 4:** List the date the divorce was granted.

##### II. APPEARANCES

**Paragraph 1:** Mark if the **JOINT PETITIONER-WIFE** appeared in person or not, and whether she represented herself. If an attorney was present on her behalf, list the attorney's firm name, and the attorney's name.

**Paragraph 2:** Mark if **JOINT PETITIONER-HUSBAND** appeared in person or not, and whether he represented himself. If an attorney was present on his behalf, list the attorney's firm name, and the attorney's name.

**Paragraph 3:** List all other persons that appeared in court on either party's behalf. Also, include the name of the attorney from the Child Support Division of the Office of Corporation Counsel, if the State is a party to the action.

### III. FINDINGS OF FACT

**Paragraph 1: A.** Mark an **X** in the correct box to confirm that the WIFE, the HUSBAND, or both have been residents of Waukesha County for more than 30 days before the date the case was filed.

**B.** Mark an **X** in the correct box to confirm that the WIFE, the HUSBAND, or both have been residents of the State of Wisconsin for more than six months before the date the case was filed.

**Paragraph 2:** Print the **JOINT PETITIONER-WIFE's** full name, social security number, date of birth, full address, and occupation (include if she is a student, disabled, or unemployed). Also include her gross monthly income.

**Paragraph 3:** Print **JOINT PETITIONER-HUSBAND's** full name, social security number, date of birth, full address, and occupation (include if he is a student, disabled, or unemployed). Also include his gross monthly income.

**Paragraph 4:** Print the date of the parties' marriage to and the city and state where it took place.

**Paragraph 5: A.** Print the names, dates of birth, and social security numbers of all children born to, or adopted by the parties during the marriage or relationship, including any child or children who were born during the marriage that may not be the husband's children. Mark an **X** in the box next to the name of the child if the husband was found to not be the biological father of that child by the court.

If you and your spouse do not have any children, you must STOP completing this set of forms and complete the forms labeled **Divorce-No Minor Children**.

**C.** Write the number of adult children that were born to or adopted by the JOINT PETITIONERS.

**D.** Mark either **A** or **B** with an **X** to inform the court if the wife is pregnant or not. If the wife is pregnant, you must also indicate whether the husband has been found to be the biological father of the unborn child or not.

**Paragraph 6:** The parties must inform the court if there are other actions for divorce, annulment, or legal separation currently pending or ever started before in any other court. Mark an **X** in **A** if there has never been a divorce, legal separation, or annulment action filed with regard to this marriage. **If there is an action currently pending, the court must be informed about that action.** If there have been any previous actions filed, mark an **X** in either **B** or **C** to indicate which party filed the action and list the County and State where it was started, the case number of that action, and when the action was dismissed (at least the year of dismissal).

**Paragraph 7: A.** Mark if the court found if the WIFE, the HUSBAND, or both are fit to have the custody and placement of the minor children by placing an **X** in the correct box.

**B.** Mark if the court found if it is in the best interest of the children for the WIFE, the HUSBAND, or both to have the joint or sole legal custody of the minor children by placing an **X** in the correct boxes.

**Paragraph 11:** Mark whether or not the judge has made any additional findings with an **X**. If so, attach the additional findings to the back of this form.

#### **IV. Conclusions of Law and Judgment**

**Paragraph 1:** Print the WIFE's, full name, full address, and occupation (include if she is a student, disabled, or unemployed). Print the HUSBAND's full name, full address, and occupation (include if he is a student, disabled, or unemployed). Finally, print the date the divorce was granted.

**WARNING:** It is unlawful for any person, who is or has been a party to an action for divorce in any court in this state, or elsewhere, to marry again until six months after judgment of divorce is granted, and the marriage of any such person solemnized before the expiration of six months from the date of the granting of judgment of divorce shall be void.

**Paragraphs 2A-D and 3A-G:** Read Carefully.

**Paragraph 4: A.** Mark **A** with an **X** if the child support payments **will not** be subject to an annual payment adjustment.

**B.** Mark **B** with an **X** if the child support payments **will be** subject to annual payment adjustments. Also write in the date by which the payer must submit documentation to the payee.

**Paragraph 5:** Write in the date the **Marital Settlement Agreement** was signed by both parties. In the space below paragraph 5, write in, or attach, any changes or additions the judge made to the **Marital Settlement Agreement**. If the judge made no changes, mark an **X** in the box.

**Paragraph 6:** Mark an **X** in **A** if **no** lis pendens was filed, and mark an **X** in **B** if a lis pendens **was** filed in this action. If you marked B, you must also include the date the lis pendens was filed, the County in which it was filed, and the pages of the **Marital Settlement Agreement** on which the property was described.

**Paragraphs 7 and 8:** Read carefully.

**Paragraph 9:** If either or both parties have been granted the use of his/her former name mark with an **X** which party will take a former name and write the name in the blank provided.

**Signatures:** Both parties, or their attorney(s), must date and sign the forms once they are completed. If the State is a party to the action, an attorney from the Child Support Division of the Office of Corporation Counsel must also sign the forms once completed. The judge will sign after it is filed in the Family Court Office.